Application Number	10/624,245	F	Applicant(s)/Patent under / Reexamination BOYD, DAVID W.				
Document Code - DISQ	Internal Document – DO NOT MAIL						
TERMINAL DISCLAIMER	APPROVED		☐ DISAPP	☐ DISAPPROVED			
Date Filed : June 21, 2006	to a Te	t is subject erminal aimer					
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

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HEWLETT-PACKARD COMPANY intellectual Property Administration P.O. Box 272400 Fort Collins, Colorado 80527-2400

David W. Boyd inventor(a):

Application No.: 10/624245

Jul 21, 2003 Fling Date:

PATENT APPLICATION

10991251 -2 ATTORNEY DOCKET NO.

Confirmation No.: 7654

Examiner: Heather D. Gibbs

Group Art Unit: 2825

Title: Digital Image Scanner With A Variable Aperture Lens And Multiple Scanning Speeds

Commissioner For Palents PO Box 1450 Alexandria, VA 22313-1460

TERMINAL DISCLAIMER RESPONSIVE TO A DOUBLE PATENTING REJECTION

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the Instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S. C. 154 to 156 and 173 as shortened by any terminal discisimer of prior Patent No. 6,821,600 to Hewist-Packard Development Company, L.P. which issued on September 16, 2003 and is commonly owned by Petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commanly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the required fee set forth in 37 CFR 1.20(d) of \$130.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.18 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

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Rev 10/05 (TemDbl)	

I hereby certify that this correspondence is being

Respectfully submitted. David W. Boyd

David W. Boyd

Attorney/Agent for Applicant(8)

Reg No.: 50,335

Date: 21-JUN-2006

Telephone: 970 898 4475

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PATENT APPLICATION

HEVR + TT + ACKARD COMPANY Intellecture Property Administration P.O. Nox 272400 Fort Collins, Colorado 80627-2400

10991251 -2 ATTORULEY DOCKET NO.

David W. Boyd inventor(s):

Application No.: 10/B24245

Confirmation No.: 7554 Examiner: Heather D. Gibbs

Jul 21, 2003 Figure Date:

Oroup Art Unit: 2925

Title: Digital Image Scanner With A Vertable Aperture Lene And Multiple Scanning Speeds



Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

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In making the above disclaimer, periioner does not disclaim the terminal part of any patent granted on the instant opplication that would extend to the experision nate of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the opplication that would extend to the experition nate of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as stroctered by any terminal disclaimer filted prior to the patent grant. In the event that any cush granted prior patent as stroctered by any terminal disclaimed under 37 CFR 1,321, has all claims canceled by a recommission cartificate, its reliasted, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimed rates to its recommendation.

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(Hampy Court Na

Respectfully cubmitted,

DEVICE W Buyd

David W. Boyd

Attorney/Agent for Applicant(s)

Reg No.: 50,835

Date: 21-JUN 2006

Telephone . 970 808 4475

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			01-Jul-06	APPL. S. N:	10624245					
To Examiner:			GIBBS, HEATHER	Art Unit	2625					
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68					
SUBJECT	r: Decisio	on on Terminal	Disclaimer(T.D.) filed:							
form para or have a	agraphs i Iny quest	dentified by thi ions, please se	is informal memo in your ne e me or the Special Program	e results as set forth below. If you a xt Office action to notify applicant o n Examiner. THIS IS AN INFORMAL, OF RECORD IN THE APPLICATION F	of the T.D. If you disagree					
please ini	itial, date	e and return thi	s memo to me. THANK YOU							
<u> </u>	The T.D.	is PROPER and	i has been recorded (see 14	.23).						
Γ	The T.D.	D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):								
	Γ	The TD fee of has not been submitted nor is there any authorization in the application file for the								
	r	use of a deposit account The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).								
	Γ	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
	Γ.	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
	<u></u>									
		is no	t an attorney "of record" (se	e 14.29 and 14.29.01).						
		has f	ailed to state his/her capacit	ty to sign for the business entity (se	ee 14.28).					
		is no	t recognized as an officer of	the assignee (see 14.29 & possible	14.29.02).					
nor is the ree (see 37 CFR 3			ary evidence of a chain of title from the original inventor(s) to assignee has been submitted, and frame number specified as to where such evidence is recorded in the Office 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
		The T.D. is not signed (see 14.26 & 14.26.03).								
	<u> </u>	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
	Γ	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).								
	Г.	The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).								
		Other:								
		Suggestion to and do not che	request refund (see 14.36).	NOTE: If already authorized, credit	refund to deposit account					
have app	propriate	ly notified appl	icant(s) of the status of the	Terminal Disclaimer filed in this cas	e.					
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